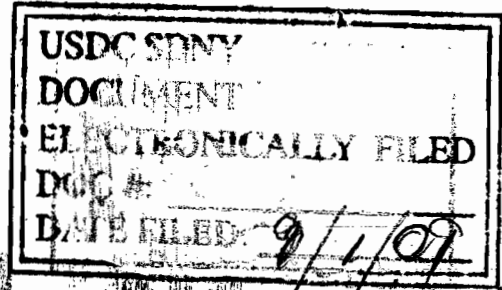


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In Re: Methyl Tertiary Butyl Ether
Products Liability Litigation

This document pertains to:
*City of New York, et al. v. Amerada Hess
Corp., et al.*, Case Civil Action No. 04-CV-
3417

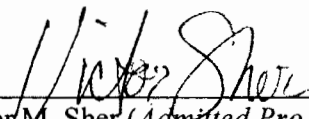


Master File No. 1:00-1898
MDL 1358 (SAS)
M21-88
Civil Action

STIPULATION AND ORDER DISMISSING ALL CLAIMS AGAINST TOTAL

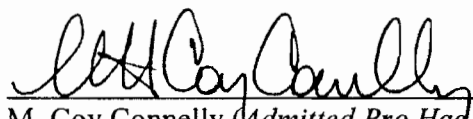
Pursuant to Federal Rule of Civil Procedure 41(a)(2), the Plaintiffs City of New York, New York City Municipal Water Finance Authority, and New York City Water Board and Defendant Total Petrochemicals USA, Inc. ("Total"), hereby request that the Court enter this voluntary dismissal with prejudice of all claims against Total as set forth in the Plaintiffs' Fourth Amended Complaint, filed on March 9, 2007. The parties agree to the dismissal and further agree that such dismissal is with prejudice, with each party bearing its own attorneys' fees and costs. Plaintiffs reserve all other rights as against all other defendants.

Dated: 8/12, 2009


Victor M. Sher (*Admitted Pro Hac Vice*)
SHER LEFF LLP
450 Mission Street, Suite 400
San Francisco, CA 94105
(415) 348-8300
vsher@sherleff.com

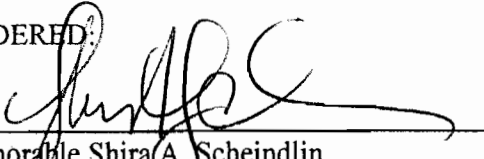
*Attorneys for Plaintiffs City of New York,
New York City Municipal Water Finance
Authority, and New York City Water Board*

Dated: July 28, 2009


M. Coy Connelly (*Admitted Pro Hac Vice*)
Bracewell & Giuliani LLP
711 Louisiana St., Suite 2300
Houston, TX 77002
(713) 223-2300
coy.connelly@bgllp.com

Attorneys for Total Petrochemicals USA, Inc.

SO ORDERED:


The Honorable Shira A. Scheindlin
United States District Judge

Dated:

